

STATE OF INDIANA



INDIANA UTILITY REGULATORY COMMISSION
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FILED

JUN 10 2004

INDIANA UTILITY
REGULATORY COMMISSION

CAUSE NO. 42651

IN THE MATTER OF THE PETITION)
OF CINERGY METRONET, INC. FOR A)
CERTIFICATE OF TERRITORIAL)
AUTHORITY TO OPERATE AS A)
FACILITIES- BASED LOCAL AND)
INTEREXCHANGE EXCHANGE CARRIER,)
AS A RESELLER OF LOCAL EXCHANGE)
AND INTEREXCHANGE SERVICES, FOR)
AUTHORITY TO OFFER CALLER ID)
SERVICES, AND FOR AN ORDER)
DECLINING JURISDICTION PURSUANT TO)
I.C. §§8-2-1-88 AND 8-1-2.6)

You are hereby notified that on this date the Indiana Utility Regulatory Commission ("Commission") has caused the following entry to be made:

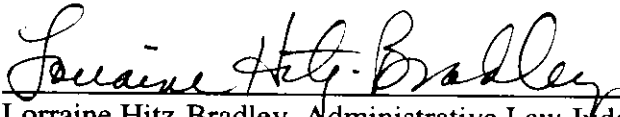
On May 17, 2004 pursuant to 170 I.A.C. 1-1.1-4, Cinergy Metronet, Inc. ("Petitioner") filed a *Request for Confidential Treatment of Financial Information* ("Request") in this Cause. In its Request, the Petitioner indicates that certain information that it intends to submit in this matter contain trade secrets ("Confidential Information") as that term is defined under Indiana Code 24-2-3-2. Information containing trade secrets is excepted from public disclosure under Indiana Code 5-14-3-4(a)(4). In support of its Motion, the Petitioner includes the *Sworn Statement in Support of Motion for Confidential Treatment of Financial Data* ("Sworn Statement"), signed by Steve Biggerstaff, President of Cinergy Metronet, Inc. The Sworn Statement has been placed in the Commission's official file in this matter and is hereby incorporated by reference.

170 I.A.C. 1-1.1-4 governs the submission of confidential or privileged information to the Commission, and requires the applicant to apply for a finding by the Commission that the information is confidential. The application must be accompanied by the sworn statement or testimony of a party that describes: 1) the nature of the confidential information; 2) the reasons why the information should be treated as confidential pursuant to I.C. 8-1-2-29 and I.C. 5-14-3; and, 3) the efforts the party has made to maintain the confidentiality of the information.

The Presiding Officer, having considered Petitioner's Request and accompanying Sworn Statement, finds there is sufficient basis for determination that the Confidential Information should be held as confidential by the Commission on a preliminary basis. Accordingly, Petitioner shall hand deliver to the Presiding Administrative Law Judge, in


a sealed envelope clearly marked confidential, with the Cause No. noted thereon, the Confidential Information which shall be treated as confidential on a preliminary basis and excepted from public disclosure in accordance with Indiana Code 5-14-3.

IT IS SO ORDERED.



Lorraine Hitz-Bradley, Administrative Law Judge

Date: June 10, 2004



Nancy E. Manley, Secretary to the Commission